



City of Carmel

CARMEL PLAN COMMISSION SPECIAL STUDIES COMMITTEE OCTOBER 5, 2004

Minutes

The Special Study Committee met at 7:00 PM on October 5, 2004 in the Caucus Rooms of City Hall.

Committee members present: Jerry Chomanczuk; Wayne Haney; Mark Rattermann; Steve Stromquist; and Madeleine Torres, thereby establishing a quorum.

Jon Dobosiewicz attended the meeting on behalf of the Department of Community Services.

The Special Studies Committee considered the following items:

1. Docket No. 04060033 DP/ADLS: 116th/Keystone Retail Shops

The applicant seeks approval for a retail/office building. The site is located at the northeast corner of 116th St. and Keystone Ave. The site is zoned B-3 within the US 431 Overlay Zone.

Filed by Steve Hardin of Bingham McHale for Eclipse Real Estate.

Steve Hardin, attorney, Bingham, McHale, 970 Logan Street, Noblesville appeared before the Committee representing the applicant. Also present: Brian Chandler and Drew Warner, Eclipse Real Estate; Dan Schnerr, Schneider Engineering.

Mr. Hardin distributed a revised traffic plan to the Committee members. The City Engineer is apparently comfortable with the revised traffic plan.

Dan Schnerr advised that the information regarding the signal plan used for 116th Street and Keystone Avenue is an accurate representation. The petitioner has agreed to certain specified commitments. The striping for the bike path is shown on the drawings and tied into the proposed improvements. The bike lane backs up to Buttonwood Drive and runs to the south side of the right turn lane. The one and one-half travel lanes and bike lane are to be shown on the plans. A taper lane should be created for lanes shifting in the east-bound traffic, consistent with INDOT design standards. The sign "Do No Block Drive" is to be removed. The final design is subject

to INDOT approval. The petitioner is to provide additional information on traffic counts –this will be provided to the Department with the projected traffic volume based on the ITE design. The location of the trash enclosure is a question—however, it will be enclosed. The fence will be masonry, with cultured stone base. The fence would serve as a “block” that would prevent cars from driving through and would be an added measure of security. The fence is not constructed of sound-proofing material, but the structure should provide a good sound barrier. The petitioner has met with the neighbors and has agreed to written commitments.

Department Report, Jon Dobosiewicz. A letter was received from the City Engineer’s Office regarding the alignment of 116th Street. Jon called attention to two letters received and distributed this evening from neighbors. Jon Dobosiewicz requested a copy of the “letter of commitments” as a point of reference for discussion. Jon also referred to the letter from the neighbors which references a side yard setback as 10 feet in the Exhibit—the existing site plan is 5 to 6 feet.

Jerry Chomanczuk, Committee Chairperson open the meeting to the public for comments.

Public Input:

Linda Meade, President, The Maples HOA, would like no less than 30 foot buffer from property line for fence—at issue is the size of the building, number of drive-through lanes, noise, lights, density of development, and hours of operation. Also questioned is the legal notice.

Committee comments:

Mark Rattermann: Access at this location is a huge issue—traffic will clog this intersection—left turns out of this development would be a problem.

Madeleine Torres: Agreed with Mark Rattermann—size of the proposed center is a concern, traffic, left turns and the drive-through are also issues. Is there adequate room for a trash truck to maneuver?

Wayne Haney: Left turns at this location are an absolute no-no—it would be crossing 4 lanes of traffic plus the bike lane and would be impossible. If the Ordinance requires a 30-foot rear yard setback, why are we considering less?

Jon Dobosiewicz responded that the rear yard setback is up to the Board of Zoning Appeals.

Jerry Chomanczuk: Definitely has a problem with left turns at this location. Traffic accidents at this corner are high and on record with the police department. Any input on a median?

Steve Hardin responded that he has been working with the Engineering Department—the City has discussed the possibility of a median, but nothing definitive as yet.

Jerry Chomanczuk further commented that the numbers are significant and the drive-through lanes will be adding more traffic. Jerry suggested that the number of drive through lanes be reduced. Again, the particular problem with this site is the access. Jerry Chomanczuk asked for verification of removal of the underground gas tanks.

Steve Hardin submitted a letter from Marathon Oil—owner of the property. Marathon has approved corrective action through IDEM and is taking steps to remove affected soil.

Madeleine Torres recommended the petitioner meet with the immediate neighbors and resolve issues prior to the next meeting.

John Molitor recommended deferring a vote until the BZA has made a decision on the variance PLUS input from the City Engineer as to the acceptability of the project (roadway access.)

Steve Mr. Hardin stated a willingness to table this matter to the next Committee meeting.

The Committee agreed to TABLE, and this matter will be heard at Committee on November 4, 2004. Note: The Committee requested input from the City Engineer.

2. Docket No. 04070033 DP/ADLS: Medical Office Building

The applicant seeks approval for a medical office building. The site is located at 10801 North Michigan Road. The site is zoned B-2/Business within the US 431 Overlay Zone. Filed by Mary Solada of Bingham McHale for BW Partners.

Mary Solada, attorney, Bingham, McHale, Indianapolis appeared before the Committee representing the applicant. Also in attendance: Tom McLaughlin, Russ Blair, Bremner & Wiley; Brian Robinson; Greg Ewing; Aaron Haselow. Mary Jo Hammond and Jim Klausmeier, traffic experts were also on hand to answer any questions.

Mary Solada went over a list of uses in the B-2 zone. The proposal is for a two-story, 40,000 square-foot medical office building not to exceed 30 feet in height. The HVAC rooftop equipment will be screened. The petitioner is proposing 147 new shade, ornamental, and evergreen trees on the south side of the building. The lighting plans are on file. The sign package will require some variances.

Mary Solada provided an up-date with The Westons neighbors. Thus far, there is agreement on the following points. 1) Limit outdoor construction activity to lesser hours; no construction traffic through the Westons neighborhood, including Monitor Lane. 2) No outdoor wall-mounted lights on the east side of the building—clients are normally by appointment only and no ambulance runs, however, the hospital has requested that flexibility. The urgent care (currently no ambulances) facility is limited to the first floor only. 3) Lastly, the petitioner will provide to The Westons HOA a contact person for each general contractor. The petitioner cannot make

stipulations for urgent care because of flexibility for the hospital. The petitioner cannot say they will never have one, but will be limited to the first floor. The petitioner feels he is directly impacting 9 homes in The Westons, but does bring certainty to those homes—the petitioner is anchoring this corner with a quality development.

Department Report, Jon Dobosiewicz reported that the petitioner has addressed concerns. As zoned, a gas station would be a permitted use. The buffer along The Westons is already significant and exceeds that which is required by Ordinance.

Public Input:

Paul Felix, president of The Westons HOA, was in attendance and represented 371 homeowners and in particular 1 to 15 homes directly behind the proposed facility. The HOA has had 3 meetings with the petitioner. Concerns are: construction start date, hours of operation, location of immediate care facility on the site, traffic, noise, light spillage, and ambulance runs. No commitments are forthcoming from the St. Vincent Medical facility.

Committee comments/concerns:

Mark Rattermann stated concern with the hours of operation

Mary Solada said she would talk with St Vincent and relay the concern regarding hours of operation and lack of commitment. At this time, Ms. Solada requested this item be returned to the full Commission.

Legal Counsel John Molitor commented that the Ordinance relates to screening, but not to hours of operation.

Mark Rattermann made formal motion to recommend approval to the full Commission on **Docket No. 04070033 DP/ADLS, Medical Office Building**, but reserved the right to reconsider his position if the petitioner does not come to terms with The Westons HOA, seconded by Steve Stromquist, approved 5-0.

**3. Docket Nos. 04030047 DP/ADLS and 04030048 Z:
North Augusta, Sec 1, lots 10pt-11 and Sec 2, Lot 39:
My Three Sons Ventures, LLC**

The applicant proposes a retail building development and rezoning lot 39 from S-1/Residence to Business. The site is located southeast of 97th Street & Michigan Rd. The site is zoned B-2/Business and S-1/Residence within the US 421 Overlay Zone. Filed by Chris McComas of Advocati, LLC.

Tabled to November 4, 2004 Special Study Committee

4. Docket No. 04080013 ADLS Amend: Mayflower Park, Block 6, lot 2 - Ed Martin

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The applicant seeks design approval for parking lot expansion. The site is located southwest of Michigan Road and 99th Street. The site is zoned I-1/Industrial and is within the US 421 Overlay
Filed by Mark Settlemeyre of Foresight Engineering for Ed Martin Pontiac.

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5. Docket No. 04080038 ADLS Amend: Weiss & Company, Inc - Addition

The applicant seeks approval for site and building modifications. The site is located at 320 S Range Line Rd. The site is zoned B-1/Business.
Filed by Dave Barnes of Weihe Engineering for Weiss & Company, Inc.

Dave Barnes, Weihe Engineering appeared before the Committee representing the applicant. Also in attendance: Jeff Marnier, attorney for Weiss & Company, and Mr. Shea, architect.

The applicant is requesting approval of certain modifications to the exterior of the building located at 320 South Range Line Road and revisions to the parking area and landscaping. A building addition is also a part of this request. The existing structure will not be changed, but brick will be added at the bottom. A 10-foot, two-story addition to the back will accommodate stairs.

The existing curb cut is being maintained as well as existing utilities.

Dave Barnes distributed the building elevations and construction materials to be used at this site. The proposed landscape plan was submitted to the City Urban Forester, and that plan has been approved.

There will be no new signage at this location, the current signage will continue to be utilized.

Mark Rattermann made formal motion to approve **Docket No. 04080038 ADLS Amend, Weiss & Company, Inc., Addition**, seconded by Madeleine Torres, **APPROVED 4-0**.

6. Docket No. 04080054 ADLS Amend: East 96th Street Auto Park, lot 3 - Tom Wood Jaguar

The applicant seeks approval for a parking lot expansion. The site is located at 4620 E. 96th Street. The site is zoned B-3/Business.
Filed by Mike Hoff of Falcon Engineering.

Mike Hoff, Project Manager for Falcon Engineering appeared before the Committee representing the applicant. Approval is being requested to add additional parking to the existing dealership located at 4620 East 96th Street.

The site initially called for future addition, however, the space is now needed for parking and the intent is to pave and install lights. The landscaping will be installed per Scott Brewer.

Department Comments, Jon Dobosiewicz. The topsoil has been stripped—petitioner currently awaiting approval. The Department is recommending approval at this time.

Mark Rattermann moved for approval of **Docket No. 04080054 ADLS Amend, East 96th Street Auto Park, lot 3, Tom Wood Jaguar**, seconded by Madeleine Torres, **APPROVED 5-0**.

7. Docket No. 04090001 ADLS Amend: Sears

The applicant seeks approval for a wall sign. The site is located at 1122 Keystone Way.

The site is zoned B-8/Business.

Filed by Don Miller of A Sign By Design for Sears Hardware

Don Miller, A Sign By Design appeared before the Committee representing the applicant. Approval is requested for a new wall sign, similar to the existing.

Don Miller stated that the color of the letters, appliance and hardware has been changed—the red outline no longer exists around the sign. The “Sears” is blue with blue trim cap and outline through the middle of the letter is blue—red faces, red cam, red trim cap with white neon inside. The sign will consist of 98.24 square feet with dimensions of 18.5’ X 5.4’.

Department Report: Jon Dobosiewicz suggested the red band area be painted if it is faded underneath when removed. Otherwise, the Department recommends approval.

Steve Stromquist moved for approval of **Docket No. 04090001 ADLS Amend, Sears**, as presented, seconded by Mark Rattermann, **APPROVED 5-0**.

8. Docket No. 04090002 ADLS Amend: RA Franke, lot 14 - Celana's Beauty Salon

The applicant seeks approval for a ground sign. The site is located at 12780 Old Meridian St. The site is zoned OM/MU-Old Meridian Mixed Use.

Filed by Celana Morrow Roth.

Celana Roth Ellis and husband Fred Ellis appeared before the Committee representing the applicant. Approval is being requested for a ground sign at 12780 Old Meridian Street, within the Old Meridian, Mixed Use District. The sign is no more than 5 feet high, the background is white lettering, galvanized steel, raised letters. The landscaping will be junipers on both sides and some perennials.

The sign will not be illuminated—there are no evening hours.

Note: The sign falls under the provisions in the ordinance for a Home Occupation in a business

zone.

Department Comments, Jon Dobosiewicz said the Department would verify that the site meets the criteria of home occupation standards—no more than 15% square footage of the residence. Otherwise, there are no outstanding issues.

Steve Stromquist made formal motion to approve **Docket No. 04090002 ADLS Amend, RA Franke, Lot 14, Celana's Beauty Salon** as presented, seconded by Madeleine Torres, **APPROVED 5-0**

9. Docket No. 04090017 ADLS Amend: Century 21 - Alexander

The applicant seeks approval for converting the garage into an additional real estate office. The site is located at 11411 Michigan Rd. The site is zoned B-5/Business. Filed by David Warshauer of Barnes & Thornburg for Jerry Alexander.

Dave Warshauer, attorney Barnes & Thornburg appeared before the Committee representing the applicant. Also in attendance was Jerry Alexander, Century 21 Real Estate.

The applicant is requesting approval to an ADLS amendment to allow modifications to an accessory structure at 11411 Michigan Road. The petitioner would like to enclose the garage and utilize as office space, install single windows and remove existing farm fence to the rear and replace with 6 or 8 foot high white plastic fence with white lattice at the top. The large tree will remain on the property. The modifications will blend with the overall design of the site.

Department Comments—Jon Dobosiewicz said the Department is recommending approval after all concerns have been addressed. The applicant will be returning to the Plan Commission with a Development Plan Amendment to allow modification of the parking area adjacent to the subject building.

Mark Rattermann made formal motion to **approve Docket No. 04090017 ADLS Amend, Century 21 Alexander**, seconded by Madeleine Torres, **APPROVED 5-0**.

10. Docket No. 04090028 ADLS Amend: Carmel Original Plat, Lot P10 - Pizza King

The applicant seeks approval for a projecting sign. The site is located at 9 W Main St. The site is zoned B-2/Business and is within the Old Town-Main St Sub-area. Filed by David Truster for Pizza King.

David Truster, owner of Pizza King, 9 West Main Street, Carmel appeared before the Committee representing the applicant. The applicant is requesting approval of a blade sign.

Department Comments—Jon Dobosiewicz stated that the Department does not support the sign as proposed. The following modifications are requested. The sign area is to be reduced to 3X3; (9 square feet) black trim or frame around the edge of the sign; sign material is to be wood rather than alumilite; telephone number on the sign is to be removed.

After limited discussion by the Committee, the applicant agreed to the modifications as aforesaid.

Mark Rattermann made formal motion for approval of **Docket No. 04090028 ADLS Amend, Carmel Original Plat, Lot P10, Pizza King, with commitments** made by petitioner. Madeleine Torres seconded the motion and it was **APPROVED 5-0**.

11. Docket No. 04090031 ADLS Amend: Brookshire Pines, Lot 222 - Subdivision Sign

The applicant seeks approval for a new subdivision entry sign. The site is located at the northeast corner of 126th St. and Charing Cross Rd. The site is zoned R-1/Residence. Filed by Tiffany Pendl for Brookshire Pines Neighborhood Association.

Tiffany Pendl, Brookshire Pines resident appeared before the Committee seeking approval for a new subdivision entry sign. The sign would be located at the northeast corner of 126th Street and Charing Cross Road. The petitioner will remove the current wooden sign and dead tree.

The proposed sign will be two-sided, 3' X 5 feet, 20 square feet in size with two cedar posts parallel to 126th Street. The 6-foot tall sign will be green in color with gold lettering. There will be landscaping at the base of the sign installed when weather permits, most probably in the spring. The landscaping will not overgrow and cover the sign for readability. The sign will not be illuminated.

Mark Rattermann made formal motion to approve **Docket No. 04090031 ADLS Amend, Brookshire Pines, Lot 222, Subdivision Sign**, seconded by Madeleine Torres, **APPROVED 5-0**.

12. Docket No. 04090036 ADLS: Carmel Ed Martin Acura (ADLS)

The applicant seeks approval of a new building and its associated signage. The site is located at 3800 East 96th Street. The site is zoned B-3/Business. Filed by Larry Kemper of Nelson and Frankenberger.

Larry Kemper, attorney, Nelson & Frankenberger appeared before the Committee representing the applicant. Also in attendance: Don Chapel, Ed Martin; John Bennett, A&E Technologies.

The applicant is requesting modifications to the exterior of the building that will enclose the covered display area and will also include new wall signage. The rooftop will be raised 4 feet to screen rooftop equipment; the enclosure will provide an expanded showroom space of 8 feet.

The existing sign at the corner of Marie Drive and 96th Street will be retro-fit. The existing wall sign will be removed and replaced with Acura Icon. The second wall sign will need a variance. The lettering on the signs will be changed from red to blue.

Department Comments—Jon Dobosiewicz confirmed that the petitioner will need a variance to identify Ed Martin and make of vehicle. The Department is recommending approval as amended.

Mark Rattermann had complaints regarding cars being parked on the grass on Marie Drive and 96th Street.

Larry Kemper responded that the violation has been corrected.

Mark Rattermann then moved for approval of **Docket No. 04090036 ADLS, Carmel Ed Martin Acura ADLS**, seconded by Madeleine Torres, **APPROVED 5-0**.

ADD-ON ITEM

Woodland Animal Hospital, Docket No. 04090050 ADLS Amend
269 West Carmel Drive

Mike Grubb and David (last name???) appeared before the Committee representing the applicant. The petitioner is requesting approval of certain exterior modifications: new brick veneer, textures and colors. Samples of materials were shown.

Department Comments, Jon Dobosiewicz said the exterior has already been removed. The green area in between could be dark EFIS color. Any exterior site modifications, other than the building, would require Development Plan approval.

Steve Stromquist made formal motion to approve **Docket No. 04090050 ADLS Amend, Woodland Animal Hospital**, seconded by Madeleine Torres, **APPROVED 5-0**.

There being no further business to come before the Committee, the meeting adjourned at 9:55 PM.

Jerry Chomanczuk, Chairperson

Ramona Hancock, Secretary